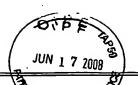
### T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			06/25/98	APPL. S. N:		10767076				
To Exami	ner:		ZHAO, DAQUAN	Art Unit		2621				
From			HENRY JEFFERSON PARALEGAL SPCECIALIST	Return This Memo To Drop-Off Location	: Case	2D68				
SUBJECT	<b>r:</b> Decisio	on on Terminal	Disclaimer(T.D.) filed:	•						
form para or have a	agraphs i Iny quest	dentified by th ions, please se	I the submitted T.D. with th is informal memo in your no e me or the Special Prograi APPLICANT OR (2) PLACED	ext Office action to notify apm Examiner. THIS IS AN IN	pplicant of t FORMAL, IN	he T.D. If you disagree ITERNAL MEMO ONLY.				
please in	itial, date	and return th	is memo to me. THANK YOU	J.						
v	The T.D.	is PROPER and	d has been recorded (see 14	4.23).						
.C:	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):									
		The TD fee of use of a depo	·- ·	mitted nor is there any auth	orization in	the application file for the				
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).								
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).								
		lisclaimer must be for a ter & 14.26.02).	minal							
		The person w	ho signed the T.D.:							
		is no	ot an attorney "of record" (s	see 14.29 and 14.29.01).						
		has	failed to state his/her capac	city to sign for the business	entity (see	14.28).				
		is no	ot recognized as an officer o	of the assignee (see 14.29 &	possible 1	4.29.02).				
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).								
		The T.D. is no	t signed (see 14.26 & 14.26	6.03).	•					
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).								
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).								
		The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).								
		Other:				· [24				
		Suggestion to and do not ch	request refund (see 14.36) eck this item.	). NOTE: If already authoriz	ed, credit re	efund to deposit account				
I have ap	propriate	ely notified app	licant(s) of the status of the	e Terminal Disclaimer filed i	n this case.					
Ex.Initial	s:	Date	::		•	Log Date:				

Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination TANAKA ET AL								
Document Code - DISQ	Internal Doc		ument – DO NOT MAIL								
TERMINAL DISCLAIMER	☑ APPROVED		☐ DISAPPROVED								
Date Filed : June 17, 2008	This patent is subject to a Terminal Disclaimer										
Approved/Disapproved by:											
Henry D. Jefferson											

U.S. Patent and Trademark Office



# TERMINAL DISCLAIMER TO ORVIATE A SOUBLE PATENTING REJECTION OVER A PENDING REFERENCE' APPLICATION

Docket Number (Optional)
0102/0238

In re Application of: Yoshiaki TANAKA et al.

Application No. 10/767,076

Filed: January 30, 2004

For: RECORDING MEDIUM AND SIGNAL PROCESSING APPARATUS

The owner\*, VICTOR COMPANY OF JAPAN, LTD., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Numbers 10/648,476 and 10/648,481, filed on August 27, 2003, as such term defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference applications, "as the term of any patent granted on said reference applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference applications: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. 

■ The undersigned is an attorney of record. Reg. No. 31,730

Signature Date

Louis Woo
Typed or printed name

06/18/2008 AMONDAF1 88000057 19767076

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130.00 OP

Terminal disclaimer fee under 37 CFR 1 .20(d) is included.
 Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
 Form PTO/SB/96 may be used for making this certification. See MPEP § 324.



## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional) 0102/0238

In re Application of: Yoshiaki TANAKA et al.

Application No.

10/767.076

Filed:

January 30, 2004

For:

RECORDING MEDIUM AND SIGNAL PROCESSING APPARATUS

The owner, VICTOR COMPANY OF JAPAN, LTD., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer, of prior Patent Nos. 6636474, 6810003, 6980501, 7006422, 7254103 and 7260045. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that the prior patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

Check either box 1 or 2 below, if appropriate.

1. 
For submissions on behalf of an organization (e.g., corporation, partnership, university, Government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. 
☐ The undersigned is an attorney of record. Reg. No. 31, 730

Signature

Date

Louis Woo

Typed or printed name

06/18/2008 AUONDAF1 00000057 10767076

☑ Terminal disclaimer fee under 37 CFR 1 .20(d) is included.

02 FC:1814

130.00 OP

Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

In re Application of:

Yoshiaki TANAKA et al.

Serial No. 10/767,076

Filed: January 30, 2004

For: RECORDING MEDIUM AND

SIGNAL PROCESSING

**APPARATUS** 

Art Unit: 2621

Examiner: Zhao, Daquan

Atty Docket: 0102/0238

### SUBMISSION OF TERMINAL DISCLAIMERS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Attached hereto are two Terminal Disclaimers in connection with the above-identified application.

Also attached is form PTO-2038 authorizing payment in the amount of \$ 260.00 fee for the Terminal Disclaimers. The Commissioner is hereby authorized to debit insufficient fees from Deposit Account No. 50-0501. A duplicate copy of this authorization is further attached hereto.

Respectfully submitted,

Louis Woo, Reg. No. 31,730 Law Offices of Louis Woo

717 North Fayette Street Alexandria, Virginia 22314

Phone: (703) 299-4090

Date:

me 17, wo8

In re Application of:

Yoshiaki TANAKA et al.

Serial No. 10/767,076

Filed: January 30, 2004

For: RECORDING MEDIUM AND

SIGNAL PROCESSING

**APPARATUS** 

Art Unit: 2621

Examiner: Zhao, Daquan

Atty Docket: 0102/0238

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Phone: (703) 299-4090

Date: 🗦 🚧

June 17, 2008